



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health / Acupuncture

- ☒ Preproposal Statement of Inquiry was filed as WSR 04-15-149 ; or
☐ Expedited Rule Making--Proposed notice was filed as WSR ; or
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice to WSR
☐ Continuance of WSR

Title of rule and other identifying information: (Describe Subject) WAC 246-802-060 Clinical training and WAC 246-802-130 Application exhibits required

Hearing location(s): Department of Health
Point Plaza East
310 Israel Road S.E.
Room
Tumwater, WA 98501

Date: April 26, 2005 Time: 9:30 a.m.

Submit written comments to:

Name: Vicki Brown
Address: P. O. Box 47867
Olympia, WA 98504-7867
e-mail vicki.brown@doh.wa.gov

fax (360) 664-9077 by (date) April 12, 2005

Assistance for persons with disabilities: Contact

Vicki Brown by

TTY (800) 833-6388 or (360) 236-4865

Date of intended adoption: May 3, 2005
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: With the passage of SSB 6554 (C 262 L 04), Eliminating Credentialing Barriers for Health Professions, the amended statute has changed the requirements for clinical training for individuals applying for acupuncture licensure. The proposal revises the current clinical training requirements to reflect the legislative changes. This will allow more applicants from out-of-state to be licensed in Washington.

Reasons supporting proposal: These rules reduce barriers to licensing, allowing more acupuncture applicants to become licensed in Washington State and ensuring the rules are consistent with the statute.

Statutory authority for adoption: RCW 18.06.050 and RCW 18.06.160

Statute being implemented: RCW 18.06

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
Federal Court Decision? ☐ Yes ☒ No
State Court Decision? ☐ Yes ☒ No
If yes, CITATION:

DATE 3/28/05

NAME (type or print)
Mary C. Selecky

SIGNATURE

TITLE

Secretary

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAR 2 2005

TIME 11:30

WSR 05-06-120

AM
PM

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:
None.

Name of proponent: (person or organization) Department of Health, Acupuncture Program

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Vicki Brown, Program Manager	Department of Health, 310 Israel Rd. S.E., Tumwater, WA 98501	(360) 236-4865
Implementation.... Vicki Brown, Program Manager	Department of Health, 310 Israel Rd. S.E., Tumwater, WA 98501	(360) 236-4865
Enforcement..... Vicki Brown, Program Manager	Department of Health, 310 Israel Rd. S.E., Tumwater, WA 98501	(360) 236-4865

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

A small business economic impact statement does not need to be prepared because the rule does not impose more than minor costs to small businesses and the content is explicitly and specifically dictated by statute.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain: This proposal is exempt under RCW 34.05.328(5)(b)(v) because the content is explicitly and specifically dictated by statute.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-802-060 Clinical training. ~~((+1))~~ A student must complete a minimum of ~~((one))~~ five hundred hours ~~((or nine quarter credits))~~ of supervised clinical training ~~((shall consist))~~ consisting of up to one hundred hours of observation which ~~((shall))~~ includes case presentation and discussion.

~~((2))~~ Supervised practice consists of at least four hundred separate patient treatments involving a minimum of one hundred patients. Twenty-nine quarter credits of supervised practice shall be completed over a minimum period of one academic year.

~~((a))~~ (1) A qualified instructor must observe and provide guidance to the student ~~((during the first one hundred patient treatments))~~ as appropriate, and must be available within the clinical facility to provide consultation and assistance to the student for patient treatments ~~((performed subsequently))~~. ~~((In the case of each and every))~~ Prior to initiation of each treatment, the instructor must have knowledge of and approve the diagnosis and treatment plan ~~((prior to the initiation of treatment))~~.

~~((b))~~ (2) "Patient treatment" ~~((shall))~~ includes:

~~((i))~~ (a) Conducting a patient intake interview concerning the patient's past and present medical history;

~~((ii))~~ (b) Performing ~~((traditional))~~ acupuncture examination and diagnosis;

~~((iii))~~ (c) Discussion between the instructor and the student concerning the proposed diagnosis and treatment plan;

~~((iv))~~ (d) Applying acupuncture treatment principles and techniques ~~((a minimum of three hundred sixty patient treatments involving point location, insertion and withdrawal of all needles must be performed))~~; and

~~((v))~~ (e) Charting of patient conditions, evaluative discussions and findings, and concluding remarks.

~~((c))~~ Supervised practice shall consist of a reasonable time per patient treatment and a reasonable distribution of patient treatment over one or more academic years so as to facilitate the student's learning experience. If the department is not satisfied that the time per patient treatment and distribution of treatments over one or more academic years facilitates the student's learning experience, it may require detailed documentation of the patient treatments.)

AMENDATORY SECTION (Amending Order 295B, filed 8/13/92, effective 9/13/92)

WAC 246-802-130 Application exhibits required. ((Every application shall be accompanied by:)) An applicant must submit:

(1) The application fee required under WAC 246-802-990;
(2) Verification of academic or educational study and training at a school or college which may include the following:

(a) Photostatic copy of diploma, certificate, or other certified documents and original copy of school transcript from a school or college evidencing completion of a program and a copy of the curriculum in the areas of study involved in the school or college forwarded directly from the issuing agency/organization; or

(b) Notarized affidavit or statement bearing the official school seal and signed by an officer of the school or training program certifying the applicant's satisfactory completion of the academic and clinical training and designating the subjects and hours; or

(c) ((If, for good cause shown, the school is no longer existent, an applicant may submit a sworn affidavit so stating and shall name the school, its address, dates of enrollment and curriculum completed, and such other information and documents as the department may deem necessary; or

~~((d))~~) Certified copies of licenses issued by the applicants jurisdiction which must be forwarded directly to the department of health from the issuing licensing and/or translation agency rather than the applicant.

((d)) If the school no longer exists, an applicant may submit a sworn affidavit stating the name of the school and that it no longer exists. The applicant must also provide the school's address, dates of enrollment and curriculum completed, and other information and documents as requested by the department.

(3) Verification of clinical training. The applicant shall submit a ~~((certification))~~ verification of clinical training form. The form must be signed by ((the instructor(s) under oath)) an officer of the approved program and must state that the applicant completed a course of supervised clinical training ((under the direction of the instructor which shall)). The verification form must include:

(a) The location(s) of the training site(s).

(b) The inclusive dates of training.

(c) A statement that the supervised ((practice included a minimum of four hundred patient treatments involving a minimum of one hundred different patients)) clinical training meets the requirements of WAC 246-802-060.

~~((d)) One hundred hours of observation including case presentation and discussion:))~~

(4) Certified verification of successful completion of:

(a) The national written examination((7));

(b) Practical examination of point location skills; and
~~((approved))~~

(c) A clean needle technique course ((from)) approved by the

National Certification Commission for ~~((Certification of Acupuncturists))~~ Acupuncture and Oriental Medicine (NCCAOM).

(5) If required by WAC 246-802-090(3), certified verification of a successful score of at least 550 on the test of English as a foreign language (TOEFL) ~~((if required by WAC 246-802-090(3)))~~. The applicant shall have a copy of his/her official score records sent directly to the department from the testing service. The department may grant an exemption to this requirement if the department determines there is good cause.

